



Electrical Safety Policy

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Introduction

Empower Housing Association (EHA) is responsible for the maintenance and repairs to our properties, all of which will contain electrical installations and appliances. The Landlord and Tenant Act 1985 and the Housing Act 2004 place duties on landlords to ensure that these electrical installations are safe at the start of any tenancy and are maintained in a safe condition throughout the life of the tenancy.

EHA are committed to ensuring our tenants' homes remain safe and fit for purpose. In achieving this we will comply with all relevant legislation and regulations.

Scope of the Policy

EHA has established a policy which meets the requirements for electrical safety under the Landlord and Tenant Act 1985, the Housing Act 2004, the Electricity at Work Regulations 1989, and the Electrical Equipment (Safety) Regulations 2016.

The policy is applicable to all fixed electrical installations within all buildings and properties that EHA has a defined maintenance and repair responsibility for. This includes owned and leased dwellings, relevant communal areas and offices. In addition, the policy will outline EHA's approach to undertaking Portable Appliance Testing (PAT) on appliances provided by EHAs for use by employees, tenants and visitors.

The policy provides assurance to Board that measures are in place to ensure compliance with legislation and regulations and to identify, manage and/or mitigate risks associated with electrical installations and electrical portable appliances.

This policy is relevant to all EHA employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.

Key Roles and Responsibilities

The roles and responsibilities of key stakeholders across EHA in relation to this policy are detailed below:

Chief Executive Officer (CEO)

Will ensure sufficient resource allocation to enable effective delivery of the actions and measures within the policy and associated procedures. The CEO will retain oversight on performance and the responsibility for delivery of the service will be discharged to the Operations Director, Compliance Manager and Building Quality Manager.

Board

Will review reports and performance indicators that provide progress updates to ensure EHA is meeting its' obligation under legislation and policy measures.

Building Quality Manager

Is responsible for ensuring electrical safety is continually maintained for all properties on a day-to-day basis.

Compliance Manager

Will ensure there are suitable arrangements in place for the delivery of the 5 Yearly Periodic Electrical Safety programme and the implementation of the Electrical Safety Procedure, this includes the prioritisation and implementation of any works arising from the electrical safety inspections as well as the PAT programme.

Maintenance Officers

Will provide key support in obtaining quotes for remedial works and arranging access to properties.

Competent Persons

Any contractor undertaking electrical installation work must be registered through the National Inspection Council for Electrical Installation Contractors (NICEIC) the Electrical Contractors Association (ECA), National Association for Professional Inspections (NAPIT) or other accredited body. Individual engineers working on electrical installations must be trained, competent and hold a relevant industry recognised qualification. EHA will check registrations when appointing a contractor and review on an annual basis.

Obligations

The Landlord and Tenant Act 1985 places duties on landlords to ensure that rented properties are:

- Safe when a tenancy begins.
- Maintained in a safe condition throughout the tenancy.

To be compliant under these duties electrical installations are required to be periodically inspected and tested. The intervals between inspections for Housing Associations are not currently fixed in law, however, best practice guidance from the Electrical Safety Council and from BS7671:2018 states that electrical installations should be checked at intervals of no longer than 5 years from the previous inspection. EHA undertake 5-year Electrical Installation Condition Reports (EICR).

Where access is proving difficult to undertake an EICR, tenants and care providers will be informed of the legal requirement and that access must be provided prior to expiry of the current certificate. EHA will take legal action to gain access should any tenant or care provider refuse access to carry out essential electrical safety related inspection and remedial works, having taken into consideration a tenant's vulnerabilities and disabilities and adherence to the procedure for access in place.

All electrical installations will be inspected and checked in line with legislative requirements and a satisfactory EICR will be issued to EHA, and to the Care Provider. New tenants are provided with a copy of the EICR as part of the sign-up procedure.

The Electricity at Work Regulations 1989 place duties on employers that all electrical installations and appliances within the workplace are safe and that only competent persons work on the electrical installations, systems and equipment. EHA will ensure that all office equipment is PAT tested once a year to ensure that they are safe to use.

The Electrical Equipment (Safety) Regulations 2016 require Landlords to ensure that any electrical appliances provided as part of a tenancy are safe when first supplied and if the appliance is not gifted an annual check will be undertaken as part of the PAT programme.

Policy Statement

EHA will ensure that all electrical installations, including any fire alarm systems and hardwired smoke and carbon Monoxide (CO) alarms shall be in a satisfactory condition following completion of an electrical installation inspection and test.

EHA will ensure that only suitably competent NICEIC electrical contractors and engineers (or equivalent) undertake electrical works for the organisation.

EHA will require an electrical installation inspection and request a Minor Electrical Works Certificates (MEW) when completing planned component replacement works within domestic properties and will have an effective document retention system in operation.

EHA will ensure that processes and controls are in place to manage the completion of follow up works identified during inspection and testing of electrical installations within required timeframes including:

- Code 1 defect – remedied before leaving site.
- Code 2 defect – remedied before leaving site or within 28 days if not possible and an EICR issued stating a ‘satisfactory condition’.
- Code 3 defect – refer to EHA Building Quality Manager for planning work in.

Where appropriate any compliance risks will be considered, mitigated, or removed as part of any major refurbishment works or included in new development design briefs.

EHA will introduce a process to ensure that contractors provide a risk assessment management system (RAMS) for electrical safety management and operations. This risk assessment will set out the contractors’ key electrical safety risks together with appropriate means of mitigation. EHA will also request up to date public liability insurance documentation and proof of qualifications annually.

Record Keeping

EHA will hold accurate and up to date records against each property it owns or manages in relation to:

- Completed EICRs;
- Minor Electrical Works Certificates (MEW);
- Smoke/heat/co2 detector works;
- Installation of emergency lighting;
- Building Regulation Part P notifications;
- Electrical Installation Certificates

EHA’s records will identify when the electrical installation was last inspected and re-inspection dates.

EHA will retain these records in line with EHA's Data Retention Policy. Processes and controls are in place to provide and maintain appropriate levels of security for all electrical safety related data.

Related Legislation and Regulation

The responsible Director will ensure this Policy has regard to all legislation, regulation and best practice including:

- Regulator of Social Housing Consumer Standards – Home Standard and mitigates the risk of a serious detriment judgement from the RSH
- Landlord and Tenant Act 1985
- Electricity at Work Regulations 1989
- Electrical Equipment (Safety) Regulations 2016
- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety & Welfare) Regulations 1992
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Housing (Scotland) Act 2006
- Regulatory Reform (Fire Safety) Order 2005
- The Building Regulations for England and Wales (Part P)
- Building (Procedures) (Scotland) Regulations 2004 and the Building (Scotland) Act 2003
- The Housing Act 2004
- The Occupiers' Liability Act 1984
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Provision and Use of Work Equipment Regulations 1998
- Construction, (Design and Management) Regulations 2015
- Data Protection Act 2018
- RIDDOR 2013
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022

Code of Practice – the principle approved codes of practice applicable to this policy are:

- IET Wiring Regulations British Standard 7671: 2018 (18th edition)
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (ISITEE) 2012 (4th edition)
- HSE INDG236: 'Maintaining portable electrical equipment in low-risk environments' (as amended 2013)
- Electrical Safety Council: 'Landlords' Guide to Electrical Safety 2009'.
- Code of Practice for the Management of Electro technical Care in Social Housing (January 2019)

Failure by EHA to discharge its' responsibilities properly could lead to a range of sanctions, including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974 as well as Regulatory intervention.

Related Policy, Procedures and Documents

- Health and Safety Policy
- Data Retention Policy
- Equality Diversity and Inclusion Policy
- Electrical Certificate Procedure
- Tenancy Agreement

Training

EHA will ensure that all colleagues working for, or on behalf of EHA have the relevant training required for their role. Periodic assessments of training needs and resulting programmes of internal and/or external training will be implemented.

All colleagues will have an understanding of electrical safety and their roles and responsibilities in ensuring that we maintain full compliance.

Performance Reporting

Key performance indicator (KPI) measures will be established and maintained to ensure EHA is able to report on performance in relation to electrical safety. KPI measures will be produced and provided to Senior Management on a monthly basis and Board level on a minimum of a quarterly basis.

As a minimum, the KPI measures for the senior management team will include reporting on:

- Properties on the electrical inspection and testing programme
- Percentage of properties with a valid EICR Certificate (5years)
- Number of inspections completed within the current month
- Properties where the EICR expired (out of date) or overdue during the month
- Number of electrical remedial works outstanding

As a minimum, the KPI measures for Board will include reporting on:

- Percentage of properties with a valid EICR Certificate (5years)
- Properties where the EICR expired (out of date) or overdue during the month
- Number of electrical remedial works outstanding

EHA will carry out an independent audit of electrical safety at least once every 2 years. This audit will specifically test for compliance with regulation, legislation and codes of practice and identify any non-compliance for remedial action. It will also review and test processes to ensure that they are adhered to and are fit for purpose.

Non-Compliance / Escalation Process

Any non-compliance issue identified at an operational level will be formally reported to the Compliance Manager in the first instance as soon as it is identified.

The Compliance Manager and Building Quality Manger will agree an appropriate course of remedial action in order to address the non-compliance issue and report details of the same to the CEO within 24 hours.

The CEO will ensure the Board is made aware of any non-compliance issue to enable consideration of the implications and take action as appropriate, including notification to the Regulator of Social Housing, as necessary.